

## MINUTES WAYNE COUNTY ETHICS BOARD

Monday, June 23, 2014 – 3:00 P. M.

Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI, 48226.

A. Roll Call 3:07 P.M.

William J. Giovan (C)	- Present
William O'Neil (VC)	- Present
Sidney Bogan	- Present
Anthony S. Guerriero	- Present
Daniel Martin	- Excused
William C. Schaefer	- Present
Stella Szczesny	- Present

B. O'Neil/Guerriero **Approved.** The minutes from the April 14, 2014 meeting. Motion Carried.

Chairman Giovan stated that he met with the Chairman of the Wayne County Commission regarding amendments and concerns regarding the Ethics Ordinance.

C. Guerriero/O'Neil **Approved.** A request for an advisory opinion pursuant Section 40-7(g) of the Wayne County Ethics Ordinance by Sheriff Napoleon concerning the applications of portions of the Wayne County Ethics Ordinance Section 40-4(g)(1) and the Wayne County Vehicle Use Ordinance Section 33-7(b)(5). Motion Carried.

There was a discussion on the item between members and Attorney Mark Brewer.

Mr. Sidney Bogan stated with his expertise as a law enforcement officer, he believes that there should be no reimbursement in the use of Wayne County Sheriff's Benny Napoleon vehicle.

Mr. William O'Neil stated he believed no violation has been committed but he does believe there needs to be some type of mileage reimbursement regarding gas mileage while campaigning.

Ms. Stella Szczesny stated that the guidelines regarding Wayne County vehicles should be clarified.

Mr. Anthony Guerriero stated that he believes that there should be a form of reimbursement for County vehicle's use that should be recorded.

Chairman Giovan stated that the effect of the Sheriff's request would be to say that the state statute and the ordinance prohibiting political use of a vehicle are unconstitutional as applied to the office of Sheriff; that the legislature has the constitutional right to prescribe the duties of the Sheriff; that there is no conflict between the statute and ordinance and the duties of a sheriff, and that neither the statute nor ordinance should be construed as inapplicable to the Wayne County Sheriff.

Attorney Mark Brewer, representation for Sheriff Napoleon, believes that there is no reimbursement requirement by the Wayne County or the State of Michigan. He requested that his client not be prosecuted or requested to reimburse mileage fund for the use of a Public Safety vehicle.

Schaefer/O'Neil	<b>Approved.</b> To hire outside counsel on the Wayne County Sheriff Benny Napoleon advisory matter. Motion Carried.
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Guerrero/Schaefer	<b>Tabled.</b> To seek outside counsel. Motion Carried.
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Guerrero/Schaefer	<b>Approved.</b> To remove the item from the table. Motion Carried.
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Schaefer/O'Neil	<b>Approved.</b> To remove the motion to seek outside counsel. Motion Carried.
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Guerriero/Szczesny	<b>Approved.</b> Delegating authority to Chairman Giovan to seek outside counsel on the Wayne County Sheriff Benny Napoleon advisory matter. Motion Carried.
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D. Such other matters as may be properly submitted before the Board.

E. Public Comments. None

F. Guerriero/Bogan Adjournment: 4:17 P.M.

Respectfully submitted,

Darcel Brown  
Legislative Research Assistant

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